



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,614	08/31/2000	Gregory L. Slaughter	5181-67400	4149

7590

07/28/2003

Robert C Kowert
Conley Rose & Tayon PC
P O Box 398
Austin, TX 78767-0398

EXAMINER

NGUYEN, VAN H

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 07/28/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/653,614

Applicant(s)
SLAUGHTER et al.

Examiner
VAN H. NGUYEN

Art Unit
2126



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 12, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 5, 16-27, 29, 30, and 32-50 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 16-27, 29, 30, and 32-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3, 4, 9 6) ☐ Other:

Art Unit: 2126

DETAILED ACTION

1. This Office Action is in response to amendment B filed May 12, 2003. Claims 1-2,4-5, 7-14, 16-27, 29-30, and 32-50 remain in this application.

Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in

(1)an application for patent, published under section 122(b),by another filed in the United States before the invention by the applicant for patent or
(2)a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent,
except that an international application filed under the treaty defined in section 351(a)shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2)of such treaty in the English language; or " (Emphasis added.)

Claims 1-2,4-5, 7-14, 16-27, 29-30, and 32-50 are rejected under 35 U.S.C. 102(e) as being anticipated by **Roberts et al.** (U.S.6,560,633 B1).

As to claims 1, 14, and 26, Roberts teaches (col.3, line 56-col.4, line 59) a method comprising:

Art Unit: 2126

- a client (*a user/web service consumers*) accessing a space service (*a web services directory*) according to a schema (*schemas*) for the space service, wherein the space service is operable to store one or more service advertisements (*for a business or enterprise that contains available services for use/XML services/web services*) in a space, wherein each of the service advertisements comprises information (*metadata*) which is usable to access a corresponding service (*web services*), and wherein the space service is configured to provide functions to manage or access the one or more service advertisements in the space (*provides access control, organization, interface definition, management, and operation of web services*), wherein the functions of the space service are invoked according to the schema for the space service which specifies one or more messages for invoking functions of the space service, and wherein the schema specifies messages usable to read advertisements from the space and publish advertisements in the space (*XML...provides a protocol where the type of data being used can be identified. XML can do this in part using predefined "schemas" that can be used to understand the type of data being transmitted/XML schemas that define the type of data that is supported in the parameters*; col.6, line 66 - col.7, line 32);

- the client selecting one of the service advertisements from the space; and the client using the information from the selected service advertisement to execute the corresponding service (*When a requester wants to run a WSA, he generates an HTTP request to run a special type of web service called a "model-based" web service. These web services have the responsibility of maintaining the runtime models for corresponding to WSA's*; col.5, lines 17-64).

Art Unit: 2126

As to claims 2 and 27, Roberts teaches the client sending messages to the space service at a Uniform Resource Identifier (col.5, lines 17-64 and col.13, lines 48).

As to claims 4 and 29, Roberts teaches the schema is expressed in a data representation language (col.6, line 66 - col.7, line 32).

As to claims 5 and 30, Roberts teaches the data representation language comprises eXtensible Markup Language (col.4, lines 1-11).

As to claims 7 and 32, Roberts teaches (col.3, lines 22-26) the client accessing the space service comprises the client sending at least one of the messages specified in the schema to the space service (col.4, lines 12-50 and col.6, line 66 - col.7, line 32).

As to claims 8 and 33, Roberts teaches the client accessing the space service comprises the client searching the one or more service advertisements stored in the space (col.4, lines 12-50).

As to claims 12 and 37, Roberts teaches generating results in response client to the executing the corresponding service for the selected service advertisement for the; and publishing the results in a network-addressable location, wherein information usable to access the network-addressable location is provided in an advertisement for the network addressable-location (col.4, lines 12-50).

As to claims 13 and 38, Roberts teaches the client sending an instantiation request to the space after the selecting one of the service advertisements from the space; obtaining a lease for the corresponding service for the selected service advertisement; sending the lease and the

Art Unit: 2126

selected service advertisement to the client; and constructing a gate for the client to access the corresponding service (col.5, lines 19-64).

As to claim 19, refer to claim 6 above for rejection.

As to claim 20, refer to claim 8 above for rejection.

As to claims 24-25, refer to claims 12-13 above for rejection.

As to claims 9 and 34, refer to claim 2 above for rejection.

As to claims 10 and 35, refer to claim 4 above for rejection.

As to claims 11 and 36, refer to claim 5 above for rejection.

As to claim 16, refer to claim 2 above for rejection.

As to claim 17, refer to claim 4 above for rejection.

As to claim 18, refer to claim 5 above for rejection.

As to claim 21, refer to claim 9 above for rejection.

As to claim 22, refer to claim 10 above for rejection.

As to claim 23, refer to claim 11 above for rejection.

As to claims 39, 43, and 47, the rejection of claims 1, 14, and 26 are incorporated herein in full. Claims 39, 43, and 47 further recite “wherein the set of information is expressed in a data representation language, and wherein the space is addressable at a Uniform Resource Identifier.”

Roberts teaches wherein the set of information is expressed in a data representation language (*XML*; col.4, lines 1-59), and wherein the space is addressable at a Uniform Resource Identifier (*metadada about web services that have been published for use by web service*

Art Unit: 2126

consumers...web service consumers can gain all information about a set of published web services; col.4, lines 24-45/URL; col.13, lines 25-67).

As to claims 40, 44, and 48, refer to claim 5 above for rejection.

As to claims 41, 45, and 49, Roberts teaches the space comprises one or more web pages which are viewable by a web browser (col.4, lines 12-59).

As to claims 42, 46, and 50, refer to claim 4 above for rejection.

Response to Arguments

3. Applicants' arguments with respect to claims 1-2,4-5, 7-14, 16-27, 29-30, and 32-50 have been considered but are moot in view of the new ground(s) rejection.

Applicants arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Art Unit: 2126

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rosenberg et al US 6446108 issued date 09/2002

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.


Any response to this action should be mailed to:

**Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7140 (for informal or draft communications)

VHN
July 19, 2003



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**